FARAD CONTINUATION SHEET NO.:
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
Writ Petition No.9547 of 2004

Office Notes, Office Memoranda of coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

Mr.P.B.Deo for petitioner.
Mrs.M.P.Thakur, AGP for respondent.

CORAM : H.L GOKHALE &
SMT.R.S.DALVI, JJ.
DATED : 13th July 2005

P.C. :

1. Heard Mr.Deo in support of this petition. The petitioner seeks to claim the post of Civil Surgeon prior to some other doctors. They are all persons who had joined prior to the petitioner. The case of the petitioner is that he has the Post Graduate qualification right from the time when he entered the service. These persons obtained the Post Graduate qualification later-on. The fact, however, remains that the relevant rule does not give any such seniority on the basis of Post Graduate

qualification. All that is necessary is that at the time of selection to the post of Civil Surgeon, one must have a Post Graduate qualification. Once that qualification is available, then the seniority will be reckoned right from the beginning. The other persons concerned, whose names are mentioned at page 12 of the petition, were senior to the petitioner on that basis.

2. The Maharashtra Administrative Tribunal considered all these aspects in para-4 of its impugned judgment and order. We do not find that there is any error on the part of the Tribunal. Petition is rejected.

(H.L.GOKHALE, J.)

(SMT.R.S.DALVI, J.)